

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Sixteenth day of August Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE SATRUGHANA PUJAHARI

WMP Nos.24595 & 24596 of 2018

IN WP.20952/2018

P.JAGADEESAN,S/O.PALANISAMY [PETITIONER IN BOTH THE PETITIONS]
SPECIAL TEACHER IN SEWING, PART TIME
INSTRUCTOR, GOVERNMENT TRIBAL RESIDENTIAL HR.
SEC.SCHOOL, SENGARAI, KOLLI HILLS, NAMAKKAL
DIST-637 411

Vs

1 THE STATE OF TAMILNADU REP BY [RESPONDENTS IN BOTH THE PETITIONS]
ITS PRINCIPAL SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPT.SECRETARIAT, FORT.ST.
GEORGE, CHENNAI 600 006

2 THE DIRECTOR OF SCHOOL
EDUCATION, DPI CAMPUS, COLLEGE ROAD,
CHENNAI -600 006

3 THE CHIEF EDUCATIONAL OFFICER
NAMAKKAL DISTRICT, NAMAKKAL

4 THE CHAIRMAN, TEACHER
RECRUITMENT BOARD, 4TH FLOOR, E.V.K. SAMPATH
MAALIGAI, COLLEGE ROAD, CHENNAI 600 006

Petition praying that in the circumstances stated therein
and in the affidavit filed therewith the High Court will be pleased
to

(i) to grant an order of Interim Direction directing the
4th Respondent to keep one post of Special Teacher in Sewing under
BC Category vacant for the petitioner (in WMP Nos.24595 of 2018)
pending disposal of the above writ petition No.20952/2018 and;

(ii) to grant an order of Interim Direction directing the
Respondent to allow the Petitioner to participate in the
Certificate Verification to be conducted by 4th Respondent Teacher
Recruitment Board on 13.08.2018 and on any other subsequent dates,
(in WMP Nos.24596 of 2018) pending disposal of the above writ
petition No.20952/2018 respectively.

Order : These petitions coming on for orders upon
perusing the petitions and the affidavits filed in support thereof
<https://hcservices.ecourts.gov.in/hcservices/>

and upon hearing the arguments of M/S.G.SANKARAN, Advocate for the petitioner and of MRS.P.KAVITHA, Government Advocate on behalf of the Respondents the court made the following order:-

Mrs.P.Kavitha, learned Government Advocate accepts notice on behalf of respondents.

2. The grievance of the petitioner in this case is that the petitioner has applied for the post of Special Teacher Sewing in pursuant to the notification issued by the Teachers Recruitment Board and not selected for certificate verification which was conducted by the 3rd respondent under the Category of BC (General). According to the petitioner though he had obtained 61 Marks but as he had inadvertently mentioned his Date of Birth as 25.07.1960 instead of 25.07.1980, he was not called for certificate verification on the ground the petitioner was a over aged person. The aforesaid mistake being inadvertent and the petitioner being an qualified person and as such, he should have been given a call for Certificate verification, the same is moreso when he has secured much more mark than the candidates of his category who have called for certificate verification. Hence, the petitioner came forward to file this writ petition challenging his exclusion from the certificate verification. An interim applications have been made to allow the petitioner for certificate verification or in otherwise keep one post vacant, pending disposal of the writ petition.

3. Mrs.P.Kavitha, learned counsel appearing for the respondents who vehemently opposed such a interim prayer on the ground that no materials indicating the aforesaid has been produced and the recruitment being for the post of Special Teachers which are required to be filled up on priority basis, keeping one post vacant pending adjudication of the claim of the petitioner is against the academic interest of the students. However, she submits that if the court desires, it may directs the selection for the aforesaid post of Special Teacher (Sewing) in BC Category, subject to the outcome of the writ petition.

4. Considering the facts and circumstances, this Court while issuing notice to the respondents as aforesaid for filing of the counter affidavit, disposes of this Writ miscellaneous petitions with an observation that Selection of BC category candidate for the post of Special Teacher (Sewing) shall be subject to the outcome of the writ petition.

5. Post on 07.09.2018.

-sd/-
16/08/2018
/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

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MAALIGAI, COLLEGE ROAD, CHENNAI 600 006

C.C. to M/S.G.SANKARAN Advocate SR.No.9788
The Government Advocate, High Court, Madras - 104.

Order

in
WMP.24595 & 24596 /2018

in
WP.20952/2018

Date :16/08/2018

From 26.2.2001 the Registry is issuing certified
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VC (21/08/2018)

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